

To:
Office of Planning and Research

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Cheri Sanville
Phone: 707-441-5901



Lead Agency (if different from above)
County of Mendocino
860 N. Bush Street
Ukiah, CA 95482
Contact: Julia Acker
Phone: 707-234-6650

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2016112028

Project Title: Meuschke Water Impoundment Project (Streambed Alteration Agreement No. 1600-2019-0083-R1)

Project Location: The project is located within the Black Butte River watershed, approximately 11.6 miles east of the town of Covelo, County of Mendocino, State of California; Sections 24 & 25, T23N, R11W, Mt. Diablo Base and Meridian, in the Newhouse Ridge U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Numbers 032-293-06, 032-293-09, 032-293-11, 032-293-23; latitude 39.8239 N and longitude 123.0311 W at the spring and reservoir.

Project Description: The project is limited to one encroachments (Table 1) for water impoundment at a spring that is tributary to Nebo Creek and the Black Butte River. The Permittee states that no water diversion shall take place from the spring or reservoir for irrigation or other consumptive uses. The reservoir shall be inspected by Regional Water Board and CDFW staff to determine if additional work is necessary. Permittee shall implement an aquatic invasive species monitoring and management plan.

Table 1. Project Encroachments Covered by this Agreement with Description

ID	Latitude/Longitude	Description
Reservoir	39.8239, -123.0311	Spring/stream-fed reservoir. Permittee states that no water diversion shall take place from the spring or reservoir for irrigation or other uses. Permittee shall install an emergency rocked spillway to prevent dam failure if the outlet culvert becomes plugged. Permittee shall implement an aquatic invasive species monitoring and management plan.

The Notification also discloses the use of four wells and their locations:

- Well-1 (lat./long.): 39.8272, -123.0340
- Well-2 (lat./long.): 39.8259, -123.0330
- Well-3 (lat./long.): 39.8266, -123.0308
- Well-4 (lat./long.): 39.8235, -123.0307, located immediately downslope from the spring and reservoir that is subject to this Agreement.

The wells are presented as the sole source of water for all needs on the property. CDFW did not evaluate hydraulic connection of the well to surface water, nor was a hydrogeologic evaluation prepared by a licensed geologist provided for CDFW review. Based on the available resources, the wells may be hydraulically

connected to streams and/or springs and shall be evaluated for potential impacts from commercial cannabis irrigation use through Mendocino County's cannabis cultivation permit.

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

Determination: This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. A mitigated negative declaration / negative declaration was prepared for this project pursuant to the provisions of CEQA.

CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).

3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to Public Resources Code section 21081, subdivision (a).

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature

Cheri Sanville, Senior Environmental Scientist Supervisor

Date:

Date Received for filing at OPR: _____